

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

ROBERT TWYMAN, JR.

Petitioner,

v.

ALABAMA DEPARTMENT OF  
CORRECTIONS, *et al.*,

Respondents.

2008 FEB 26 A 9:56

DEBRA P. HACKETT, CLERK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA.

Civil Action No.2:06cv833-MEF

**PETITIONERS' NOTICE TO FEDERAL COURT  
OF STATE COURTS' INTERVENTION**

Comes Now, petitioner in the above styled cause, moves this Court, with Notice of State Courts' Intervention, into matters presented in his Title 28 U.S.C. section 2254, pending before this court.

Petitioner's enclosing an affidavit, acknowledging as to what the Twenty-Ninth Judicial Court of Talladega Alabama, is/has done pertaining to the issue of dead time pending before this Court.

Done this the 25 day of February 2008.

*Robert Twyman Jr.*

CERTIFICATION OF SERVICE

I hereby certify that I have this 25 day of February, 2008 served a true and correct copy of this Notice and Affidavit on the ALDOC, Legal Division, by placing the same in the U.S. Mail postage prepaid and properly addressed.

Alabama Department of Corrections  
Legal Division  
P.O Box 301501  
Montgomery, Alabama 36130

*Robert Twyman Jr.*  
147435 C2-14A  
P.O. Box 8  
Elmore, Alabama 36025

Attorney General Office  
11 South Union Street  
Montgomery, Alabama  
36130

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
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ROBERT TWYMAN, JR.

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ALABAMA DEPARTMENT OF  
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# AFFIDAVIT

I Robert Twyman, Jr., petitioner in the above numbered case, submits this affidavit in good faith, being true and correct to the best of my knowledge.

On December 13, 2007, I submitted to the Alabama Court of Criminal Appeals a Writ of Mandamus. My sole purpose was for the Court of Appeals to order the ALDOC, to honor the court opinion in *Twyman v. State*, CR-04-1744. (*Twyman was remanded to the custody of the Alabama Department of Corrections to serve the remaining 5 years, 8 months and 5 days of this prior sentence*).

I served (6) six copies on interested parties, the Talladega County Circuit Clerk Office was one. The Court of Criminal Appeals denied the writ, CR-07-396.

The Circuit Clerk Office of Talladega County forwarded me an Affidavit of Substantial Hardship and Order, along with a Cover Sheet. January 10, 2008, I properly returned those document to the Circuit Clerk Office.

I've received a Notice of Service from the Circuit Clerk's Office in Talladega County, that on 2/7/2008, *Twyman v. ALDOC*, CV-08-24 was served.

I'm confused. All I wanted was for the Court of Criminal Appeals to order the ALDOC to honor the opinion of CR-04-1744.

Talladega County, is the sentencing court of my conviction, knowing the truth as to how much time my sentence consists of. I had no intentions of filing a State complaint, with the same issues of dead time, which is pending before this Court.

I don't know what the intention of the Talladega Circuit Court are, as to what this proceeding consist of, Habeas Corpus, Mandamus, etc.. However it seems, the Circuit Court has taken jurisdiction of the matter.

If, CV-08-24, dismissed by me, respondents may state, I refused relief on the issue of dead time; or if, the Circuit Court adjudicate the dead time issue, respondents may plead res judicata to this Court.

I know this Court can not give me any legal advice, but *I'm confused*. This affidavit's for notification of the sentencing court, taken interest upon it on, in one of the issues presented to this Court by me, in my Writ of Habeas Corpus. Respectfully I state to this Court, I have not willingly or intentionally filed another complaint into the State Court requesting relief in any of the issues presented to this Federal Court. I've plead to the respondents, before this Court, to honor the Alabama Court of Criminal Appeals opinion of CR-04-1744. Respondents would not address the matter.

My intentions were for the Alabama Court of Criminal Appeals to order the ALDOC to honor their prior opinion, by way of the Writ of Mandamus. Through a Certification of Service, upon the Circuit Clerk Office of Talladega County, Alabama, it appears Judge WM E Hollingsworth, III, has taken this matter into his own hands.

I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct.

Executed on 2/25/08

/s/ Robert E. Egan

Robert Twyman, Jr  
AIS #147435 C2-14A  
ELMORE CORR. FACILITY  
P.O. Box 8  
Elmore, Alabama 36025

MONTGOMERY AL 361

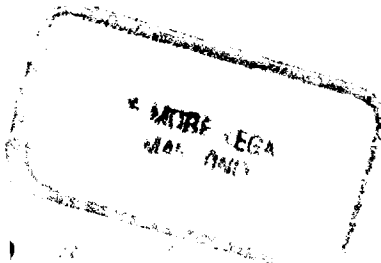
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This correspondence is forwarded from  
an Alabama State Prison. The contents  
have not been evaluated, and the Alabama  
Department of Corrections is not responsible  
for the substance or content of the enclosed  
communication.

"LET US DARE TO  
THINK, SPEAK AND  
John Adams, 1765  
powerofthelaw



Clerk of the United States District Court  
P.O. Box 711  
Montgomery, Alabama 36101



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